

Tape Transcript

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Address to American Society of Newspaper Editors
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I'm grateful for an introduction referring to my association with the President back in the Naval Academy. I want you all to know that I got this job strictly on merit.

What I do want to speak with you briefly about this morning is just what Dick has been outlining, and that's what it means to an intelligence community to come out from under a rock and start living in a fishbowl. Change is the only constant in the world of intelligence today. There's change in the great technology of our country, which changes the way we do our work. There's change in the focus of the United States' attention around the world, and we, as you, must cover many more countries, many more topics today. But the real change that I think is of interest to you, is the change of the environment in which American intelligence does and must operate today. You in the media are understandably an important element of this change. Look back only five or six years past that Gridiron Dinner that Dick referred to, before the Church the Committee, the Pike Committee, the Rockefeller Commission, the new oversight procedures in the Congress and the Executive Branch, the Intelligence Oversight Board, and so on. In those days, we did not

appear on the front pages as we do so frequently today. The result is that the intelligence profession in our country must, today, adapt to a new openness, a new association with the American public, and yet it must control that openness so that it can still go about and do its business, which must largely be done in secret.

This has meant adapting our profession in four fundamental dimensions. First, is the internal organization and operation procedures. Second, is our relations with the rest of the Executive Branch. Third, is our interface with the American Congress. And finally, is the much greater degree of interaction between us and the American public--most of it, of course, through you. Whether these changes in the way we operate will still permit us to do the job that the country needs and wants, is indeed a deserving topic of public debate and concern today. Let me look at each of these separate dimensions in the light of the considerable discussion that is going on today about how freely the CIA should be permitted to operate. Whether it should be unshackled. How unshackled? And if it is unshackled, at what risk to our Constitutional rights?

First, the internal dimension of change. For many years the Central Intelligence Agency has been divided into a number of separate departments--each doing a portion of our work. Traditionally, there has been very strict compartmentation between these departments in order to help protect

our secrets by minimizing, even within the Agency itself, the number of people who have access to very sensitive data. Obviously, there are risks when compartmentation is too tight. People may make decisions without having all the facts that are available. People may offer judgments which are too narrowly focused. If there were mistakes in the past in the CIA, I suspect that there were because the perspective in which the decisions were taken was too narrow. It was not a matter of maliciousness or callousness or of the Agency's being out of control. It was not.

Today, to ensure that compartmentation does not impede good, broad-based decisionmaking, we are moving towards a more corporate organizational structure. I use corporate in the sense that we are becoming more consultative, more collegial, better organized for long-term decisionmaking. We are hoping in the process not to become bureaucratized and inflexible as we mature. The disadvantage to the corporate approach, of course, is that as you increase the number of those who know about risky, sensitive activities, you also will increase the risk that those activities will be compromised. To reduce that risk, while expanding the number of offices that participate in our decisionmaking process, we attempt to restrict the number of individuals who have to know, and the level of detail that they have to have in order

to perform their individual role. In short, we are trying to find a happy medium between the dangers of isolated decision-making and such proliferation of information on sensitive activities that they will not remain sensitive and secretive.

The second dimension of change in our environment is that the CIA is less independent externally than it used to be. We are less like a small family business than we used to be. We are more like one element of a large, corporate conglomerate. The National Security Council is our Board of Directors, with the President as our Chairman. The Council today provides a far greater degree of advice and direction in our collection activities, in our analysis and in our covert actions, than it ever has before. There are, of course, pluses, as well as minuses, to this. A big plus is the fact that it ties us more intimately to the policymakers and their deliberations. We can serve them better. We can provide them data more to what they really need if we are privy to what their concerns are and what are the issues of the moment.

A minus, however, is the probability of damaging leaks of secretive information. Leaks are geometrically proportional to the number of people who know the information. It really doesn't make too much difference where the people are located or who they are. For instance, in the Executive Branch, there are always those with misplaced loyalty who

will try to influence policy by leaking secretive information that they think will change the national debate. The inhibitions of self-restraint and patriotism that prevailed in this country before Vietnam are less prevalent today in a no-holds-barred post-Watergate environment. I can assure you that this makes the job of the intelligence professional much more difficult.

The third dimension of change is our greater interplay with the United States Congress. In years past a few Senators and a few Representatives were informed about intelligence activities. The general attitude, however, was, don't tell me too much. I can assure you that attitude is long gone.

Again, there are pluses and there are minuses to this. The advice and the counsel of the Congress does keep us in closer contact with the American public and gives us a better understanding of what is expected of us. It also affords us a somewhat detached view of our activities. And, through this process, the Congress, in effect, assumes a share of the responsibility for what we do. The primary disadvantage is, of course, again, the danger of leaks. In terms of leaks, though, the Congress is not better nor is it any worse than the Executive Branch. And overall, the process of sharing with the Congress and gaining their advice has, in my opinion, worked well in the three years that I have been privileged to be part

of that process. I want to continue that relationship. Why then, has there been so much controversy in recent weeks over what the nature of that relationship is going to mean in the future? It is because we are attempting to codify into what is known as charters for the intelligence community. Codify the current practices that we have evolved over the last three or four years. In so doing, in my opinion, we are inadvertently attempting to establish a degree of precision which cannot be achieved. Intelligence is not a science; it is a craft, or, at times, even an art. An element of trust is vital, because without it, flexibility will be lost, and an intelligence organization that does not have flexibility simply is another bureaucracy.

The current effort to replace some trust with all law concentrates on two particular issues. The first is how soon we are to notify the Congress of what we are doing; second is at what level of detail.

The question of how soon we notify the Congress is in essence a Constitutional issue. It brings into question what the Founding Fathers intended when they created a separation of power. The powers given to the Congress in our Constitution are essentially to appropriate money, to legislate law, to impeach and, in the case of the Senate, to advise and consent on Presidential appointments. There is no provision in the

Constitution for prior consultation by the Executive with the Legislative Branch before the Executive undertakes actions in his Constitutional sphere.

A recent editorial in a leading newspaper revealed how much confusion there is today over this division of authority. It complained that if Congress were not informed in advance of implementation of intelligence activities, the President of the United States would be deprived of Congressional consultation. Now, consultation sounds like a very nice, voluntary activity. But when you require consultation by law, it is no longer voluntary; it becomes a mechanism for pre-judging, and consequently, for control of a President's actions. If the Congress were to pre-judge every Presidential action and be able to veto it in advance, the President would be unable to negotiate treaties, to act on domestic emergencies, to control our exports and imports, or to take any number of other actions which he must be able to take in the best interests of our country. Foreign intelligence is not different. De facto, Congressional veto power would deny the President the opportunity to take necessary initiatives to lead. Instead, he would become, at the least, an adjunct; at the worst, his puppet.

With respect to the amount of detail that we must share with the Congress, our concern is less with the actual sharing than with the preception of others. Outside of our country,

there are few who understand why and how we share our intelligence process so completely with the Congress. Agents of ours overseas and intelligence services with whom we have good liaison know that their effectiveness, even their well being, depends on secrecy. They also know that a politician's viability depends to a large extent on public relations. We cannot easily persuade them that if they share with us highly sensitive information, and that if we, in turn, must share that information with our Congress, that it will be kept private. And when they are not convinced that their equities, and perhaps their lives, are going to be protected if they share with us, they simply will not choose to take those risks. The loss is ours, not theirs.

In practice, in my three years of association with the committees of Congress, I find that they have exercised extraordinarily good judgment in not pressing us for a level of detail that was unnecessary for the purposes. To my knowledge, they have never complained that we have provided them with inadequate detail to perform their oversight or legislative roles effectively.

Finally, this greater openness has changed our relationship with you, the Fourth Estate, and, of course, with the American public. We do need, and seek, better public understanding. No important public institution can survive in this country without support of the American public. We have tried, then, in recent

years to be more open with you. We have been more open in terms of declassifying and distributing our product when that can be done. Through making more of our analyses and studies available, we hope to provide the public with some more visible return on its investment in intelligence.

At the same time, though, we have been scrupulous in not talking our sources and methods of collecting intelligence information, for the very same reasons that each of you refuses to reveal your sources. We, as you, expect to protect the confidence of our sources, to use our sources repeatedly, to encourage other sources to join with us. We also protect information that is particularly useful to our policymakers because they alone have it and no one else knows that they do have it. And again, I think you can understand and appreciate with me, the benefits and the value of having an exclusive.

Thus our new openness is a controlled openness. It will work only though if we can control access to secret information and thus reduce the danger of leaks. This is the most serious challenge facing the American intelligence profession today. Accordingly, we are asking the Congress to help us in three respects.

The first is the Hughes-Ryan Amendment. This has been interpreted to require that whenever we undertake a covert

action, we must notify up to eight committees of the Congress.

Revealing a covert action to more individuals than is absolutely necessary can risk lives unnecessarily and, in fact, mocks the term "covert." We want to reduce that notification to the two committees that oversee us. But please note that on those two oversight committees, there are representatives of the other six committees who are now on the notification list. In short, if those other committees, for their proper purposes, need to know about ongoing covert actions, that information will be available within their structure.

Next, we are asking for limited relief from the Freedom of Information Act. As you well know, today, you ,the Soviet Ambassador, anyone can demand information out of our files and we must at least respond as quickly as possible. Again, this is a problem particularly of perceptions, even more than fact--the perceptions of foreign liaison and foreign agents. How do you persuade someone to risk his life for our country if he believes that I may be required by law to reveal his name and identity in public? We are still willing to provide our citizens with any unclassified information in our files about them and to respond to inquiries about our product. But we must be able to continue to ensure our sources of information that we can protect them from exposure. They must perceive that we not only can, but we will do that.

Lastly, we are asking for legislation to let us prosecute

those who traitorously disclose the names of our officers and agents around the world. With acknowledged deliberateness, people like Philip Agee and others of his ilk are trying to undermine a legally constituted institution of our government which we all pay for with our tax dollars. With deliberate irresponsibility, they are making intelligence more expensive than it need be, they are reducing our effectiveness, and they are jeopardizing American lives. To permit this to continue would be ludicrous.

Please note now that none of three three measures of relief that I have just described constitute any meaningful relaxation of controls over the Central Intelligence Agency. They could not be described as an unleashing; or as a return to the good old days. They are simply steps toward restoring a modicum of essential secrecy in the American intelligence process. We can move in these directions safely today because of the elaborate oversight procedures that have been effectively installed in recent years.

Still, secrecy, any secrecy, will always seem an anachronism in our society. And, cover action will always conflict with the American tradition of fair play. But, ultimately we must recognize that in some international circumstances the Marquis of Queensbury rules simply cannot be applied. If we are to continue to be free and to be a world leader we simply

must know what is going on around us. A strong intelligence capability is clearly necessary. Carping at reasonable levels of secrecy and reasonable freedom to act covertly against hostile countries is naive and destructive.

We, of the intelligence profession, are sons and daughters of this nation just as are you. We are well aware of the nation's ethical standards and constitutional rights and your quite reasonable insistence that they be preserved. We have no intention of violating your trust nor undermining the very values we are committed to defend.

Yet, we do not simply ask to be trusted in this regard. We strongly endorse continuation of the oversight process both in the Executive and the Legislative Branches. It holds us fully accountable; it permits us to function effectively; it works.

Today, then, we are poised at a delicate balance point. If that balance is tipped any further in the direction of loosening controls over secrecy it would adversely affect our ability to continue to be a secret intelligence service. We do not ask to be unshackled. We ask to continue just as we have been successfully, over the past three years. I know of no accusation of illegality, impropriety, or abuse, nor any cause for such an accusation. I know of no inference that

the oversight process has not been thorough or effective during this period.

We are in the process of constructing a new, a uniquely American model of intelligence. It is tailored to American values and to recognition of the rights and privileges of the individual. Yet, it does permit us to do what needs to be done to preserve our national security. I ask your understanding and your support in completing this bold new concept. Thank you.